

**Claim Amendment under 37 C.F.R. §1.121**

Claim 1. (Currently amended) A shoe comprising:  
a sole member ~~A shoe member;~~  
an upper member, a top portion of which being incised from a top flank to an end; ~~upper member and stabilizing band, the upper is incised from top (22) to the end (21) of upper;~~  
a stabilizing band connected to the top of the incised upper member; and  
a mechanism that combines the upper member, wherein the mechanism is directly  
connected to the stabilizing band, ~~the mechanism(50) that combine the upper which is directly~~  
~~connected to the band (30)~~  
wherein when the stabilizing band is removed outward the incised upper member is  
opened automatically.

Claim 2. (Currently amended) A shoe according to claim 1, wherein the mechanism that closes the incised area comprises ~~[[can be]]~~ a zipper and ~~[[or]]~~ a zip lock.

Claims 3-4. (Cancelled)

Claim 5. (Currently amended) A shoe according to claim 1, wherein ~~the special feature of this shoe is that the~~ an upper connecting line ~~[[that]]~~ is constructed in a ~~[[the]]~~ whole surface of the upper member in the shape of a curved line.